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PTO/SB/01 (12-97)  
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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing  
OR  
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	10006-4
First Named Inventor	Atkinson
<b>COMPLETE IF KNOWN</b>	
Application Number	09 / 056,153
Filing Date	April 6, 1998
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VIRAL OBESITY METHODS AND COMPOSITIONS**

the specification of which (Title of the Invention)

☐ is attached hereto  
OR

☒ was filed on (MM/DD/YYYY) **April 6, 1998** as United States Application Number or PCT International

Application Number **09/056,153** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/042,942	April 4, 1997	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/5B/028 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<input type="checkbox"/> Customer Number <input type="text"/>		<input type="checkbox"/> OR <input type="checkbox"/> Registered practitioner(s) name/registration number listed below	
Name	Registration Number	Name	Registration Number
William J. Scanlon	30,136		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/5B/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label  OR ☒ Correspondence address below

Name	William J. Scanlon				
Address	The Scanlon Law Office				
Address	Suite 1, 616 South Ingersoll Street				
City	Madison	State	WI	ZIP	53703-3810
Country	USA	Telephone	(608) 294-1141	Fax	(608) 294-1322

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle if any)			Family Name or Surname				
Richard <del>L.</del> RLA 10/21/98			Atkinson				
Inventor's Signature	Richard L. Atkinson				Date	Oct 21 1998	
Residence: City	Fitchburg	State	WI	Country	USA	Citizenship	USA
Post Office Address	2137 Vintage Drive						
Post Office Address							
City	Fitchburg	State	WI	ZIP	53575	Country	USA

☒ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/5B/02A attached hereto.

Please type a plus sign (+) inside this box — ☒

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U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<input type="checkbox"/> Customer Number <input type="text"/> OR <input type="checkbox"/> Registered practitioner(s) name/registration number listed below		Place Customer Number Bar Code Label here	
Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label  OR ☐ Correspondence address below

Name			
Address			
Address			
City	State	ZIP	
Country	Telephone	Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Additional Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle if any)		Family Name or Surname	
Nikhil V.		Dhurandhar	
Inventor's Signature	<i>Nikhil V. Dhurandhar</i>		Date
			Oct. 21 1998
Residence: City	State	Country	Citizenship
Madison	WI	USA	India
Post Office Address			
5006 Knox Lane			
Post Office Address			
City	State	ZIP	Country
Madison	WI	53711	USA

☐ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

## ASSIGNMENT

WHEREAS, Richard L. Atkinson, residing in Fitchburg, Wisconsin, USA, and Nikhil V. Dhurandhar, residing in Madison, Wisconsin, USA (hereinafter jointly referred to as "ASSIGNOR"), have invented VIRAL OBESITY METHODS AND COMPOSITIONS for which an application for Letters Patent of the United States was filed on April 6, 1998 and has been accorded Serial No. 09/056,153 (hereinafter "APPLICATION"); and

WHEREAS, Obetech, LLC (hereinafter "ASSIGNEE"), a limited liability company organized and existing under the laws of the State of Wisconsin, USA, and having its principal office in Fitchburg, Wisconsin, is desirous of acquiring an interest in APPLICATION and the invention described therein (hereinafter "INVENTION");

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR, by these presents, does hereby sell, assign, and transfer unto ASSIGNEE the full and exclusive right, title, and interest for the territory of the United States of America, its territories and possessions, and for all foreign countries, in and to APPLICATION and INVENTION, including all rights of priority and other rights in APPLICATION and INVENTION under statutes of the United States of America and all conventions, treaties and international agreements to which the United States of America is a party. APPLICATION, INVENTION, applications in foreign countries for protection of INVENTION, and all Letters Patent on INVENTION are to be held and enjoyed by ASSIGNEE for its own use, and by its successors and assigns, to the full end of the term for which Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNOR had this Assignment and sale not been made.

ASSIGNOR does further hereby agree to provide all reasonable aid to ASSIGNEE in the preparation, filing and prosecuting of APPLICATION, and any other application for Letters Patent, including (without limitation) applications for letters patent in countries other than the United States of America, continuations, divisionals, continuations-in-part, and applications for reissue patents, that ASSIGNEE may wish to make covering the INVENTION and investing in ASSIGNEE like exclusive right, title, and interest in and to all such other applications and resulting Letters Patent.

ASSIGNOR hereby agrees that ASSIGNOR will similarly aid ASSIGNEE in the prosecution or defense of any interference, conflict, re-examination, opposition, reissue, litigation or like proceeding that may arise involving any application for Letters Patent herein contemplated and that ASSIGNOR will execute and deliver to ASSIGNEE any and all papers that may be reasonably requested by ASSIGNEE to fully carry out the terms of this Assignment.

ASSIGNOR:

Richard L. Atkinson  
Richard L. Atkinson

October 21, 1998  
Date

Nikhil V. Dhurandhar  
Nikhil V. Dhurandhar

October 21, 1998  
Date

STATE OF WISCONSIN     )  
                                      ) ss:  
COUNTY OF DANE         )

Before me personally appeared Richard L. Atkinson, to me known to be the person so identified as an ASSIGNOR in the above ASSIGNMENT, who signed the foregoing instrument in my presence and made oath before me to the allegations set forth therein as being under oath on the 21<sup>st</sup> day of October, 1998.

William J. Scanlon  
Notary Public, State of Wisconsin  
My commission is permanent.

STATE OF WISCONSIN     )  
                                      ) ss:  
COUNTY OF DANE         )

Before me personally appeared Nikhil V. Dhurandhar, to me known to be the person so identified as an ASSIGNOR in the above ASSIGNMENT, who signed the foregoing instrument in my presence and made oath before me to the allegations set forth therein as being under oath on the 21<sup>st</sup> day of October, 1998.

William J. Scanlon  
Notary Public, State of Wisconsin  
My commission is permanent.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Obetech, LLC

Application No./Patent No.: 09/056,153 Filed/Issue Date: April 6, 1998

Entitled: Viral Obesity Methods and Compositions

Obetech, LLC

(Name of Assignee)

, a limited liability company

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

July 19, 2000

Date



Signature

Nicholas J. Seay

Typed or printed name

Attorney

Title

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard L. Atkinson      Date: \_\_\_\_\_, 1998  
              Nikhil V. Dhurandhar

Serial No.: 09/056,153                      Examiner: A. Salimi

Filed: April 6, 1998                      Art Unit: 1643

Title: VIRAL OBESITY METHODS              Our Ref: 710395.90010  
          AND COMPOSITIONS

REVOCATION, POWER OF ATTORNEY AND  
APPOINTMENT OF POWER OF ATTORNEY

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned on behalf of Obetech LLC, the assignee of the complete interest of the above-identified patent application, hereby cancels all previously executed powers of attorney in this application and appoints as power of attorney, with full powers of substitution and appointment the following:

Nicholas J. Seay  
Reg. 27,387  
Quarles & Brady LLP  
P O Box 2113  
Madison, WI 53701-2113  
(608) 251-5000

Please direct any further correspondence in regard to this application to the above attorney.

Respectfully submitted

OBETECH LLC

Dated: June 16, 1999

By: Richard L. Atkinson  
Name: Richard L. Atkinson, MD  
Title: Principal